

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

FILED
NOV 16 2004
U.S. DISTRICT COURT
DISTRICT OF RHODE ISLAND

ALBERT A. GRAY, ADMINISTRATOR,
ET AL.

Plaintiffs

v.

JEFFREY DERDERIAN, ET AL.

Defendants

Civil Action No. 04-312L

**MOTION OF PROPERTY AND CASUALTY INSURANCE ASSOCIATION OF
AMERICA FOR LEAVE TO FILE AMICUS CURIAE BRIEF**

Property and Casualty Insurance Association of America ("PCI") respectfully moves for leave to file the accompanying amicus curiae brief in support of Defendant, Essex Insurance Company's ("Essex") motion to dismiss the plaintiffs' complaint against Essex. PCI should be granted leave to file the amicus brief because PCI and its members interests are at the epicenter of this case. PCI's views and perspective will assist the Court in its review of the issues before it. PCI's views and perspective will also assist the Court in gauging the impact an adverse ruling will have on the insurance industry as a whole if the plaintiff's allegations are not rejected. The plaintiffs' complaint alleges that Essex negligently conducted an inspection in connection with the issuance of a general commercial insurance policy to the owners of the premises where the Station Nightclub fire occurred. The issue before this Court is whether the plaintiffs' complaint states a cause of action recognized by the state of Rhode Island.

PCI is a trade group representing more than 1,000 property and casualty insurance companies. PCI members are domiciled in, and transact business in, all 50 states, plus the

District of Columbia and Puerto Rico. Its member companies account for \$171 billion in direct

Granted: Ronald R. Saguena
SA. USDJ 11/29/04 (215)